

**SPECIAL TERMS AND CONDITIONS**

It is expressly understood and agreed that any articles identified by Department of General Service's commodity numbers and certified by PRIDE, the corporation defined in s. 946.503(1), FS, which are the subject or required to carry out this contract, shall be purchased from said corporation in the same manner and under the same procedures set forth in s. 946.515(2)(4), FS. For purposes of this contract, the person, firm or other business entity carrying out the provisions of this contract shall be deemed to be substituted for this agency insofar as dealings with PRIDE are concerned.

Payment shall be made in accordance with s. 215.422, FS, which provides that agencies have 5 working days to inspect & approve goods & services, unless bid specifications or the PO specifies otherwise. If payment is not available within 40 days, measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved, a separate interest penalty set by the Comptroller pursuant to s. 55.03, FS, will be due and payable in addition to the invoice amount. To obtain the applicable interest rate, please contact the University Controller's Payables and Disbursements Section at (850) 644-5021. Payments made to health care providers for hospitals, medical or other health services, shall be made not more than 35 days from the date of eligibility for payment is determined, and the daily interest rate is 1% per month. Invoices returned to a vendor due to preparation errors will result in a payment delay. Interest penalties of less than \$1 will not be paid unless the vendor requests payment. A Vendor ombudsman, whose duties include acting as an advocate for vendors who may be experiencing problems in obtaining timely payment(s), may be contacted at (850) 410-9724 or by calling the State Comptroller's Hotline, 1-800-848-3792. The payment period does not begin until all terms of the contract (including shipping and billing instructions exactly as they are specified on the purchase order) have been met and a properly completed invoice is provided the University.

The university reserves all administrative, contractual and legal remedies against the contractor or vendor who breaches any of the contract terms.

**EQUAL OPPORTUNITY:** The nondiscrimination clause contained in section 202, Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin and the implementing rules and regulations prescribed by the Secretary of Labor, are incorporated herein.

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for cancellation of this purchase order.

Acceptance of this order serves as certification that the vendor or its principals: (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency; (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; (c) are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and (d) have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

This purchase order shall be governed by and under the jurisdiction of the Laws of Florida and any provision in conflict herewith, shall be void and of no effect.

Unless specifically referenced in the body of this order, there are no attachments to this purchase order.

The following applicable FAR sections and Department of Defense Supplement to the FAR are incorporated by reference into this order if the third line under the OBJ CODE, DEPT. NO. column begins with a 2, 3 or 4.

<p>a. The following provisions of the Federal Acquisition Regulations (FAR) <u>apply regardless of the amount of this order:</u></p> <p>Anti-Kickback Procedures 52.203-7</p> <p>Buy American Act and Balance of Payments Program 52.225-7001</p> <p>Contract Work Hours and Safety Standards Act-Overtime Comp. 52.222-4</p> <p>Equal Employment Opportunity 52.222-26</p>	<p>f. <u>The following provisions of the Federal Acquisition Regulations (FAR) also apply</u> if the amount of this order exceeds \$500,000:</p> <p>Labor Surplus Area Subcontracting Program 52.220-4</p> <p>Small Business and Small Disadvantaged Business Subcontracting Plan 52.219-9</p>																		
<p>Integrity of Unit Prices Notice to the Government of Labor Disputes 52.215-26(a)(b) 52.222-1</p> <p>Preference for U.S.-Flag Air Carriers (for international air travel only) 52.247-63</p> <p>Restrictions on Subcontractor Sales to the Government 52.203-6 52.222-41</p> <p>Service Contract Act of 1965 (Reserved) Termination for Convenience of Government (Education and other Nonprofit Institutions) 52.249-5 (a)-(f)</p>	<p>g. The following provisions of the Federal Acquisition Regulations (FAR) apply when noted:</p> <table border="0"> <tr> <td>Filing of Patent Applications -- Classified Subject Matter</td> <td>When subcontract involves classified matters.</td> <td>52.227-10</td> </tr> <tr> <td>Hazardous Material Identification and Material Safety Data</td> <td>When subcontract involves hazardous material.</td> <td>52.223-3</td> </tr> <tr> <td>Overseas Distribution of Subcontracts</td> <td>When subcontract amount exceeds \$100,000. (DOD only).</td> <td>52.204-7005</td> </tr> <tr> <td>Patent Rights Clauses</td> <td>When the subcontract purchase order involves experimental research and development work.</td> <td>52.227-11,12</td> </tr> <tr> <td>Rights in Technical Data and Computer Software</td> <td>When subcontract includes technical data or software acquisition requirements. (DOD only).</td> <td>52.227-7013</td> </tr> <tr> <td>Required Sources for Jewel Bearings</td> <td>When subcontract or purchase order requires use of jewel bearings.</td> <td>52.208-1</td> </tr> </table>	Filing of Patent Applications -- Classified Subject Matter	When subcontract involves classified matters.	52.227-10	Hazardous Material Identification and Material Safety Data	When subcontract involves hazardous material.	52.223-3	Overseas Distribution of Subcontracts	When subcontract amount exceeds \$100,000. (DOD only).	52.204-7005	Patent Rights Clauses	When the subcontract purchase order involves experimental research and development work.	52.227-11,12	Rights in Technical Data and Computer Software	When subcontract includes technical data or software acquisition requirements. (DOD only).	52.227-7013	Required Sources for Jewel Bearings	When subcontract or purchase order requires use of jewel bearings.	52.208-1
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<p>b. <u>The following provision of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$2,500:</u></p> <p>Affirmative Action for Handicapped Workers 52.222-36</p>																			
<p>c. <u>The following provisions of the Federal Acquisition Regulations (FAR) also apply if the amount of this order exceeds \$10,000:</u></p> <p>Affirmative Action for Special Disabled and Vietnam Era Veterans Audit -- Negotiation Employment Reports on Special Disabled Veterans and Veterans of the Vietnam Era Examination of Records by Comptroller General 52.222-35 52.215-2 52.222-37 52.215-1</p> <p>Utilization of Small Business Concerns and Small Disadvantaged Business Concerns Walsh-Healey Public Contracts Act 52.219-8 52.222-20</p>																			
<p>d. The following provisions of the Federal Acquisition Regulations (FAR) also apply if the amount of this order exceeds \$25,000:</p> <p>Authorization and Consent 52.227-1</p> <p>Notice and Assistance re: Patent and Copyright Infringement 52.227-2</p> <p>Preference for Privately Owned U.S.-Flag Commercial Vessels 52.247-64</p> <p>Utilization of Labor Surplus Area Concerns Utilization of Women-Owned Small Businesses 52.220-3 52.219-13</p>	<table border="0"> <tr> <td>Restrictive Markings on Technical Data</td> <td>When subcontract includes technical data or software acquisition. (DOD only).</td> <td>52.227-7018</td> </tr> <tr> <td>Security Requirements</td> <td>When subcontract involves access to classified information.</td> <td>52.204-2</td> </tr> </table>	Restrictive Markings on Technical Data	When subcontract includes technical data or software acquisition. (DOD only).	52.227-7018	Security Requirements	When subcontract involves access to classified information.	52.204-2												
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